

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

RUTH ANN L. PHILLIPS,

Plaintiff,

v.

CITY OF LYNCHBURG

Defendant.

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Civil Action No.: 6:16cv00063

MOTION TO DISMISS

Defendants, City of Lynchburg and Lynchburg Fire Department, by counsel, move to dismiss the plaintiff's Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure on the ground that it fails to state a claim upon which relief may be granted for the reasons stated in the accompanying memorandum.

Accordingly, the defendants request that the Complaint be dismissed and for such other and further relief as the nature of this case requires and this Court deems appropriate.

CITY OF LYNCHBURG
LYNCHBURG FIRE DEPARTMENT

By: /s/ Jennifer D. Royer
Of Counsel

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Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on November 14, 2016, I will cause a true copy of the foregoing to be sent via US Mail, first class and postage prepaid, to the following:

Ruth Anne L. Phillips
Post Office Box 97
Mammoth Spring, AR 72554

/s/ Jennifer D. Royer
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